

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

RODNEY ALLS,

Defendant.

DECISION AND ORDER
18-CR-38-A

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr. pursuant to 28 U.S.C. § 636(b)(1) for the conduct of pretrial proceedings. On March 19, 2024, Defendant Rodney Alls appeared before Magistrate Judge Schroeder and entered a plea of guilty to Charge No. 1 of the Petition for Offender under Supervision (Dkt. No. 61), which charges him with committing another federal, state or local crime.

Magistrate Judge Schroeder issued a Report and Recommendation (Dkt. No. 77) confirming his oral findings that Defendant's plea of guilty was knowing, voluntary, and supported by a factual basis. No timely objections to the Report and Recommendation have been filed. It is hereby

ORDERED that, upon review of the plea agreement (Dkt. No. 76); plea transcript (Dkt. No. 79) of the March 19, 2024, plea proceeding before the Magistrate Judge; and the Report and Recommendation, the Court finds, in accordance with the requirements set forth in *United States v. Pelensky*, 129 F.3d 63 (2d Cir.1997), that defendant knowingly and voluntarily: admitted the alleged conduct constituting such violation; and waived his rights under Rule 32.1 of the Federal Rules of Criminal Procedure. The

Magistrate Judge informed Defendant of his rights under Rule 32.1, including his right to a revocation hearing, and Defendant waived those rights and voluntarily admitted conduct establishing the violation. The Magistrate Judge determined that Defendant understood the foregoing. Accordingly, Defendant's plea of guilty is accepted based upon the oral findings of the Magistrate Judge as confirmed in the written Report and Recommendation.

Sentencing is scheduled for May 17, 2024 at 10:00 am.

IT IS SO ORDERED.

s/Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: April 3, 2024
Buffalo, New York